



H.R. 3096 – Vietnam Human Rights Act of 2007

FLOOR SITUATION

H.R. 3096 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Rep. Chris Smith (R-NJ) on July 19, 2007. The House Committee on Foreign Affairs approved the bill, as amended, by voice vote on July 31, 2007.

H.R. 3096 is expected to be considered on the floor on September 17, 2007.

BACKGROUND

Vietnam is an authoritarian state under the control of the Vietnamese Communist Party (VCP). Since diplomatic relations were formally restored in 1995, relations between the U.S. and Vietnam have improved steadily. The two countries signed a Bilateral Trade Agreement in July 2000 that went into force in December 2001. In 2006, Congress approved extending Permanent Normal Trade Relations to Vietnam and agreed to Vietnam becoming an official member to the World Trade Organization. In 2006, overall trade between the U.S. and Vietnam reached well over \$9 billion.

Despite improving relations with the United States and a flourishing economy, Vietnam has struggled to improve its record on human rights. According to the State Department's 2006 Country Reports on Human Rights Practices, Vietnam's human rights record remains unsatisfactory. The government continues to exert its control over the press and the internet, deny individuals the right to fair trials, prohibit independent human rights organizations, and abuse religious freedoms. Additionally, significant concerns remain with trafficking in women and children.

During a meeting with Vietnamese President Nguyen Minh Triet in June 2007, President Bush focused on economic relations, human rights, religious freedom, and combating AIDS.

According to the Congressional Research Service, "U.S. aid in FY2007 likely will surpass \$90 million, much of it for health-related activities."

Summary

H.R. 3096 prohibits U.S. non-humanitarian assistance to Vietnam unless the president certifies that Vietnam is meeting several requirements, including: 1) progress toward releasing all political prisoners; 2) substantial steps are taken toward respecting the right to freedom of religion; 3) Vietnamese nationals are allowed free and open access to U.S. refugee programs; 4)

improvements are made in respecting the human rights of members of all ethnic minorities; and 5) there is no government complicity in human trafficking. The bill grants the president the authority to waive this prohibition.

The bill authorizes \$2 million to support the promotion of human rights in Vietnam for each of the fiscal years 2008 and 2009. This money would be granted through nongovernmental organizations and the Human Rights Defenders Fund.

The bill authorizes \$9.1 million for FY2008 and \$1.1 million for FY2009 to overcome the jamming of Radio Free Asia by Vietnam, which is in addition to the money provided for Radio Free Asia through the Broadcasting Board of Governors. It also authorizes such sums as may be necessary from within the State Department's budget to be used for Migration and Refugee assistance through FY2010 for Vietnamese refugees and asylum seekers.

H.R. 3096 also requires the State Department to annually report on the progress toward freedom and democracy in Vietnam.

COST

According to the Congressional Budget Office (CBO), implementing H.R. 3096 would cost an estimated \$11 million in fiscal year 2008 and \$20 million over the 2008-2012 period.

STAFF CONTACT

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